REMARKS

Reconsideration of this application is respectfully requested. The specification has been amended to correct come inadvertent and typographical errors in spelling. There has been no change in substance and no new matter is involved.

Claims 1, 19, 22 and 23 have been amended to specifically incorporate therein limitations contained in Claims 8, 9, and 10 which have been cancelled. There has been no change in substance and no new matter is involved since support for the additional limitations is found in the specification on page 7 at lines 17 through 21, and on page 8 at lines 7 through 18. Claim11 has been amended to include additional selections for the metal salt, the support for which is found in the specification on page 7 at lines 22 through 30, on page 25 at lines 3 through 13, on page 26 at lines 18 through 20, on page 33 at lines 26 through 28, on page 34 at lines 4 through 6, and on page 37 at Table 5a showing the use of Acumer® and Tamol® sodium salts. Also, Claim 21 has been amended to correct the proper antecedent basis from Claim 20 instead of Claim 19.

The rejection of Claims 1 through 7 and 11 through 25 as being unpatentable over either of Yamamoto et al. (U.S. 5,629,129) or Tsuno et al. (U.S. 5,759,738), under 37 U.S.C. 103(a), is respectfully traversed. Claims 1, 19, 22 and 23 now recite an image transfer element comprising a donor element support and a colorant layer disposed upon the donor element support. The colorant layer comprises a polymeric binder, a colorant, a surfactant and a metal salt having the structure $M_a^{+n}\ X_b^{-q}$ wherein M^{+n} is a cation selected from the recited Markush listing and X^{-q} is an anion selected from the recited Markush listing, with a and b being integers wherein (a)(n) = (b)(q).

Yamamoto et al. disclose a heat sensitive ink sheet having a support sheet and a heat sensitive ink layer which is formed of a heat sensitive ink material. The heat sensitive ink material contains a colored pigment, a polymer binder, and a nitrogen containing compound comprising a metal salt of a fatty acid (e.g., zinc stearate) or a quaternary ammonium salt having the recited formula. The heat sensitive ink sheet provides an improved image forming method by multi-gradation.

Tsuno et al. disclose an image forming method using a heat sensitive ink sheet comprising a base sheet and a heat sensitive ink material containing a colored pigment, a polymeric binder, and a metal salt of a fatty acid (e.g., zinc stearate) or an ammonium salt having a long aliphatic chain group. The image forming method forms a multicolor image on an image receiving sheet with improved area gradation.

The colorant layer of the present invention contains specifically claimed metal salts which are neither quaternary ammonium salts nor fatty acids having a long aliphatic chain group as disclosed in Yamomoto et al. and Tsuno et al. The claimed metal salts provide a

colorant layer capable of providing high quality images over a variety of operating conditions including, but not limited to, laser power (in Watts) and drum speed, as well as imaging sensitivity at low humidity. Example 1 shows that the incorporation of ammonium citrate into a cyan donor composition resulted in improved imaging latitude for S1 of the present invention. Data in Table 4b show that the addition of sodium L-tartrate improved the imaging latitude of S4 versus C4 at both 22% and 45% relative humidity. Data in Tables 4c and 4d illustrate the beneficial effect of sodium acetate wherein there is better overall imaging latitude particularly at low humidity. Example 5 demonstrates the effect of polyacid salts on imaging at low humidity, for example, 22% relative humidity. Tables 5b, 5c, 5d and 5e illustrate the improved imaging latitude for S7, S8, S9, S10 at low humidity, when compared to C6. S7, S8, S9, and S10 showed increased density at each power setting and corresponding energy range at 22% relative humidity. Thus, the samples of the present invention provided better imaging latitude than C6. None of the claimed metal salts is shown or suggested by the disclosed metal salts of Yamamoto et al. and Tsuno et al. since both cited references teach the use of the disclosed metal salts for providing images with improved area gradation and do not suggest that the metal salts provide improved imaging latitude, particularly at low humidity, as demonstrated by the present Examples. Since Yamamoto et al. and Tsuno et al. neither show nor suggest a colorant layer containing the metal salts specifically recited now in Claims 1, 19, 22 and 23, it is respectfully submitted that the invention now defined in such claims is not anticipated nor obvious over either Yamamoto et al. or Tsuno et al.

Claims 2 through 7, 11 through 18, 20, 21, 24 and 25 incorporate the patentable novelty of Claims 1 and 23, respectively. Therefore, the allowance of Claims 2 through 7, 11 through 18, 20, 21, 24 and 25 appears to be in order for at least the reasons given with respect to Claims 1 and 23.

Reconsideration and allowance of this application are respectfully requested.

Respectfully submitted,

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